

---

---

**Introduced by Senator Kuehl**

December 4, 2006

---

---

An act to amend Section 79402 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 8, as introduced, Kuehl. California Bay-Delta Authority Act.

Existing law, the California Bay-Delta Authority Act, establishes in the Resources Agency the California Bay-Delta Authority. The act requires the authority and the implementing agencies, as defined, to carry out programs, projects, and activities necessary to implement the Bay-Delta Program, defined to mean those projects, programs, commitments, and other actions that address the goals and objectives of the CALFED Bay-Delta Programmatic Record of Decision, dated August 28, 2000, or as it may be amended. The act requires the authority to develop policies and make decisions at program milestones, and to provide direction to achieve balanced implementation, integration, and continuous improvement in all program elements, as defined.

This bill would include environmental justice among the prescribed program elements.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 79402 of the Water Code is amended to  
2     read:  
3     79402. Unless the context otherwise requires, the following  
4     definitions set forth in this section govern the construction of this  
5     division:

1 (a) “Authority” means the California Bay-Delta Authority.

2 (b) “Balance” or “balanced implementation” means the  
3 implementation of projects, programs, or other actions in a manner  
4 that meets both of the following requirements:

5 (1) Is consistent with the implementation schedule and  
6 milestones described in the CALFED Bay-Delta Program Record  
7 of Decision, dated August 28, 2000, or as it may be amended.

8 (2) Results in concurrent improvement in all program elements  
9 in a manner that ensures that improvements in some program  
10 elements are not made without corresponding improvements in  
11 other program elements.

12 (c) “Bay-delta” means the San Francisco Bay/Sacramento-San  
13 Joaquin Delta Estuary.

14 (d) “Bay-Delta Public Advisory Committee” means the  
15 Bay-Delta Public Advisory Committee established by charter  
16 issued by the United States Department of Interior, dated June 8,  
17 2001, and filed on July 2, 2002.

18 (e) “California Bay-Delta Program” or “Bay-Delta Program”  
19 means those projects, programs, commitments, and other actions  
20 that address the goals and objectives of the CALFED Bay-Delta  
21 Program Record of Decision, dated August 28, 2000, or as it may  
22 be amended.

23 (f) “Category A programs” means those state and federal agency  
24 programs and funds that are to be managed and implemented  
25 consistent with the California Bay-Delta Program’s goals and  
26 objectives.

27 (g) “Director” means the Director of the California Bay-Delta  
28 Authority.

29 (h) “Implementing agencies” means those agencies with the  
30 primary responsibility for implementing the program elements,  
31 subject to Sections 79440 and 79441.

32 (i) “Program elements” means the following—~~11~~ 12 program  
33 elements of the California Bay-Delta Program:

- 34 (1) Levee system integrity.  
35 (2) Water quality.  
36 (3) Water supply reliability.  
37 (4) Ecosystem restoration.  
38 (5) Water use efficiency.  
39 (6) Water transfer.  
40 (7) Watershed.

- 1 (8) Storage.
- 2 (9) Conveyance.
- 3 (10) Science.
- 4 (11) Environmental water account.
- 5 (12) *Environmental justice*.
- 6 (j) “Projects” means both programs and capital projects.

O